

FILED

OCT 30 2024

In the United States District Court
For The Western District of Texas
Austin Division

CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY CC DEPUTY CLERK

Tiede v. Collier

RECEIVED

OCT 30 2024

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY CC DEPUTY CLERK

Oct. 24, 2024

1:23-CV-1004-RP

Declaration of

Brian G. Oatman #2097131

§ 4 Pages of Notes & 2
Pgs Medical Records.

Declaration of Brian G. Oatman #2097131

I am a Texas Prisoner currently housed within TDCJ. I've been assigned a Heat Score of PO1 since the Winter of 2019 and recently spent 3 months at the Coffield Unit in Tennessee Colony, TX Suffering 8th Amendment violations from excessive Heat and insufficient Mitigation measures. I documented this with notes I've submitted to this same Court and this same Judge (Pittman) in Oatman v. TDCJ et al 1:24-cv-00897-RP-SH. My Maximum release date is Oct. 16, 2025 but have recently made Parole. TDCJ & Defendant Collier are currently punishing me for having Representative Venton Jones' office open an investigation into the Coffield Unit and for exercising my 1st Amendment rights of Petitioning for Redress of Grievances. Right now I'm supposed to be enrolled in a Pre-release Class called CHANGES but Defendants Collier & TDCJ have decided to

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Keep me out of this class by changing my housing assignment to "Transient" so that they can hide me away here at the Robertson Unit in Solitary Confinement. The Nurses report that their Computers have been (and still are) Down for 3 weeks. I've been here in Cell 12 DB-23 for 6 days now with no mattress and no Life sustaining medications. The Nurses are not able to Vend any medications to "Transient" people while their Computers are down, I am a member of this federal action as well as my own. It is a Federal offense to Harass or Assault witnesses involved in federal Lawsuits. I am planning on Making myself available to this Court upon my release from TDCJ because you need to hear what Bryan Collier has been doing to the Heat Sensitive for the last 5 years. I'll live in a Cardboard box outside of 501 W. 5th Street, wash cars, shine shoes and beg for change if I have to. I am making myself available to this Court in case you need me to explain the exhibits in my case which I actually sent in for this (Tiede) case just for safe keeping. I fully plan to file new Complaints and refile Oatman v. TDCJ if need be after my release when the PLRA goes away. Hope to see you soon.

P.S. - This is my last Stamp and envelope. I cannot provide Defendant with copies because TDCJ policy was changed in 2022 Defendant will not allow me to make Copies to Comply with Court rules.

Respectfully Submitted

Bryan L. Oatman
209 7131 10-24-24

Subject: Re: TDCJ, Coffield Unit, refusal to provide ice water, respite access, in violation of AD-10.64
From: Nell Gaither <nell@tpride.org>
Date: 7/30/2024, 11:25 AM
To: Gavin Nicholson <Gavin.Nicholson@house.texas.gov>, Irma Scholes <Irma.Scholes@house.texas.gov>
CC: Venton Jones <Venton.Jones@house.texas.gov>, Kevin Roberts <Kevin.Roberts@house.texas.gov>

Good morning Irma and all,

And thank you all for the responses! And I will absolutely keep Venton Jones' office updated with our complaints, thank you so much for letting me know.

I apologize for not getting back to you yesterday as I was away from the office and needed to check there to make sure I responded accurately.

I'll include answers to your questions and updates here; I hope this is not too much.

Stiles Unit, Isabella Miller

On Stiles Unit, the issue with Isabella Miller, we received the following:

- July 10, email from Angela N. Chevalier with TDCJ that she forwarded our message to the new Stiles unit warden (she was still listed as warden) James Danheim.
- July 15, UTMB CMC Quality Services sent a response letter simply going over seizure medication doses and claiming both that she had not been denied her nebulizer and medical mattress and that both have been re-ordered (attached: utmb_2024-07-15(qualityServices).pdf).
- We have received no further responses about this issue.
- We received an emessage dated July 10 from Ms. Miller (sent July 10 but not delivered to us until July 18, which is not compliant with policy) stating that her legal work has been lost with much of her property and that the problem with staff using strobe lights is still a serious problem at Stiles. Although a prior complaint in April about this issue while she was at Estelle Unit prompted the TDCJ Ombudsman to relate that the warden there claimed strobe lights were against policy, Ms. Miller states that during one of her hospital stays, a ranking officer from Stiles observing her at the hospital showed her a new strobe light in the package and stated that TDCJ is issuing these strobe-capable flashlights for officers to use (attached: miller_2024-04-10.pdf). Unfortunately, Ms. Miller is not good at providing dates, so I'm not sure when that was, but seems to have been at Stiles.

So for Stiles Unit, we have not received any response related to the security staff placing Ms. Miller in danger.

Coffield Unit, Heat and Heat Mitigation Procedures

On July 15, 2024, we received a response to our July 3 email about heat issues at Coffield Unit from Richard Babcock, current Deputy Division Director at the Correctional Institutions Division (attached: tdcj_2024-07-15(cid_email).pdf). The email stated several things that we believe are inaccurate, incomplete, or misrepresent actual circumstances. I have an itemized list of these if you would like it. This July 15 email is the only response we have received from TDCJ.

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We have received additional information about conditions from an incarcerated person since that response. The person providing this information stated that during the hot spell that began June 22, they were denied cool water many days for hours at a time. I have tried to compare his data with Weather Underground data from the Tyler weather station, the closest I've found with historical data, about 20 miles from Tennessee Colony. I believe the heat index data he mentions was from the radio, I think for Dallas, but I'm not certain. I'm happy to include this person's emails, but they are long and sometimes rambling, so this is the synopsis, with what I could verify from local weather. Note that the Weather Underground data is outside temps and may not reflect the conditions inside the concrete buildings, where humidity was likely higher and temps somewhat different--the subject was asking staff for inside temperature readings when he could. The following is from a message dated July 25.

- On June 22, subject noted the heat index was as high as 104 degrees. Weather Underground data indicates outside max temp 94, max humidity 85%, heat index above 90 from 10am to 9pm.
- On June 23, subject noted a heat index of up to 105, no cool water and locked in cells on average two hours, respite areas locked or without cool water. Weather Underground data indicates outside max temp 95, max humidity 90%, heat index above 90 from 10am to 10pm, and above 103 from 4pm to 6pm.
- June 24, Weather Underground data indicates outside max temp 97, max humidity 88%, heat index above 90 from 9am to 10pm, and above 103 from 12pm to 7pm.
- On June 25, subject reported the temperature "feels like 110," and that there was no cool water all morning, respite area at chapel was locked, and the barbershop had no cool water; no cool water in housing area till after 10pm. Weather Underground data indicates outside max temp 97, max humidity 88%, heat index above 90 from 9am to after midnight, and above 103 from 1pm to 8pm.
- On June 26, subject reported being denied egress for cool water for four hours in the morning, and implied for many hours in the afternoon. Weather Underground data indicates outside max temp 91, max humidity 91%, heat index above 90 from 1am to 5am, from 11am to 1pm, and from 6pm to 10pm.
- On June 27, subject reports that they were locked in their cells all day, and there was no cool water available between 11:30am and 5:23pm. The subject also notes being locked down at night, and there were no wellness or security checks, nor was there a count that evening. Weather Underground data indicates outside max temp 94, max humidity 90%, heat index above 90 from 11am to 9pm.
- On June 28, Weather Underground data indicates outside max temp 98, max humidity 79%, heat index above 90 from 9am to 9pm, and above 103 from 12pm to 6pm.
- On June 29, subject notes only being able to get one 20-ounce bottle of cool water in one four-hour period, and that many in his housing area "begged for" cool water. The subject states that he talked to staff, and they reported having no more ice, and that they are being locked in their cells for three hours at a time. Weather Underground data indicates outside max temp 97, max humidity 85%, heat index above 90 from 7am to after midnight, and above 103 from 12pm to 9pm.
- On June 30, subject reports that staff were asked about the lack of cool water at 11:45am, 1:20pm, and 3pm, and was told they were "working on it" or ignored. Weather Underground data indicates outside max temp 97, max humidity 85%, heat index above 90 from midnight to

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3am, and from 9am to after midnight, and above 103 from 2pm to 7pm.

- On July 1, Weather Underground data indicates outside max temp 99, max humidity 87%, heat index above 90 from midnight to 4am, from 8am to 10pm, and above 103 from 1pm to 4pm.
- On July 2, Weather Underground data indicates outside max temp 98, max humidity 90%, heat index above 90 from 9am to after midnight, and above 103 from 12pm to 9pm.
- On July 3, Weather Underground data indicates outside max temp 98, max humidity 88%, heat index above 90 from midnight to 2am and from 9am to after midnight, and above 103 from 5pm to 7pm.
- On July 4, Weather Underground data indicates outside max temp 98, max humidity 82%, heat index above 90 from midnight to 2am and from 9am to midnight, and above 103 from 3pm to 7pm.
- On July 5, Weather Underground data indicates outside max temp 94, max humidity 90%, heat index above 90 from 8am to 3pm.
- On July 6, Weather Underground data indicates outside max temp 94, max humidity 93%, heat index above 90 from 10am to 10pm.
- On July 7, Weather Underground data indicates outside max temp 96, max humidity 90%, heat index above 90 from 9am to 2pm.
- On July 8, Weather Underground data indicates outside max temp 77.
- On July 9, Weather Underground data indicates outside max temp 90, max humidity 93%, heat index above 90 from 3pm to 7pm.
- On July 10, Weather Underground data indicates outside max temp 94, max humidity 91%, heat index above 90 from 10am to 7pm.
- On July 11, subject notes that their temperature was up to 98 degrees with a heat index up to 101. Weather Underground data indicates outside max temp 93, max humidity 85%, heat index above 90 from 10am to 9pm.
- The subject noted that on July 13, they started having cool water in the housing area continuously, apparently through the date of the emessage, July 25.

On July 26, we received an emessage that they had received a response to one of the grievances submitted about the heat mitigation issues, and that it contradicted some of what CID had said, in particular claiming they do not lock them up for count. Apparently a Major Henslee said that they can go to respite showers any time (not sure if this was in the grievance response or a conversation), but what they have been in practice is only in the evening.

Then on July 27, we received an emessage that the person trying to get information to us was being transferred. Today he is at Beto Unit. That probably ends our fairly constant stream of info on this issue, unless some of the others that were helping him start sending us info.

Please let me know if there is anything else I can do or send.

And thank you for your assistance in helping keep people safe!

Sincerely,

Nell Gaither, President, Trans Pride Initiative

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Pronouns: she/her/hers

Community space: 907 Morrell Avenue, Suite 101, Dallas, Texas 75203 ([map](#))

Mailing address: P.O. Box 3982, Dallas, Texas 75208

214.449.1439 | nell@tpride.org

-
- View data about violence against trans and queer persons in prison.
 - Read and comment on the TPI blog.
 - Sign up for TPI's occasional email notices.

On 7/29/2024 3:18 PM, Gavin Nicholson wrote:

Hi Irma,

Thanks for looping our office in. I'd like to echo your sentiments. Do we know if another office has started an inquiry into the Stiles Unit? Additionally, any update on the Coffield Unit would be helpful.

Nell, please let us know if we can be of assistance to you or your organization moving forward.

Thank you,



Gavin Nicholson

Chief of Staff

State Representative Venton Jones, House District 100

512.463.0586

From: Irma Scholes <Irma.Scholes@house.texas.gov>

Sent: Monday, July 29, 2024 2:05 PM

To: Nell Gaither <nell@tpride.org>

Cc: Venton Jones <Venton.Jones@house.texas.gov>; Gavin Nicholson <Gavin.Nicholson@house.texas.gov>; Kevin Roberts <Kevin.Roberts@house.texas.gov>

Subject: RE: TDCJ, Coffield Unit, refusal to provide ice water, respite access, in violation of AD-10.64

Good afternoon Nell,

I just wanted to confirm receipt of your email regarding the Coffield Unit and the Stiles Unit. I am cc'ing Representative Venton Jones District 100, Dallas County. Before we move forward with inquiring about the Stiles Unit, I wanted to check in with you to see if you had heard from any of the offices you sent the email to? We don't wish to confuse the inquiry if you are already being assisted.

As it relates to the Coffield Unit, we are still communicating with TDCJ and will update your Rep's office as well.

Lastly, I am providing you information regarding your State Rep below, who you will find to be a great advocate for District 100.

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GL00049 /CYTG/HS16

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
HEALTH SUMMARY FOR CLASSIFICATION09:48:29
04/20/2022NAME: OATMAN, BRIAN
TDCJ#: 02097131 SID#: 05220297
UNIT: CY HOUSING: 12ED2-56B
JOB: UNASGN MEDICALDOB: 04/20/1972
WGT: 205 LBS
HGT: 5'04"

P U L H E S

2	1	1	1	2	3
B	A	A	A	B	N
P				P	T

I. FACILITY ASSIGNMENT (CHECK ONE)

- X A. NO RESTRICTION
 B. SINGLE LEVEL FACILITY
 C. SUITABLE FOR TRUSTEE CAMP? X YES ___ NO HEAT SENSITIVE: Y
 HEAT SCORE: P01

II. HOUSING ASSIGNMENT

- A. BASIC HOUSING (CHECK ONE)
 X 1. NO RESTRICTION
 ___ 2. SINGLE CELL ONLY
 ___ 3. SPECIAL HOUSING (HOUSING WITH
 LIKE MEDICAL CONDITION
 ___ 4. CELL BLOCK ONLY
 C. ROW ASSIGNMENT (CHECK ONE)
 X 1. NO RESTRICTION
 ___ 2. GROUND FLOOR ONLY
- B. BUNK ASSIGNMENT (CHECK ONE)
 ___ 1. NO RESTRICTION
 000 2. LOWER ONLY
 000 5. M EXT HRS
 ___ 6. EXTENDED HOURS INSULIN
 D. WHEELCHAIR USE (CHECK ONE)
 ___ 1. NO RESTRICTION
 ___ 2. ADS ORDERED
 ___ 3. UTILITY USE
 ___ 4. PERM MED
 ___ 5. TEMP MED

III. WORK ASSIGNMENT/RESTRICTIONS (CHECK ALL THAT APPLY)

- 000 1. MEDICALLY UNASSIGNED
 ___ 2. PSYCHIATRICALY UNASGN
 ___ 3. SEDENTARY WORK ONLY
 ___ 4. FOUR HR WORK RESTRICTION
 ___ 6. EXCUSE FROM SCHOOL
 ___ 7. LIMITED STANDING
 ___ 8. NO WALKING > ___ YARDS
 ___ 9. NO LIFTING > ___ LBS.
 ___ 10. NO BENDING AT WAIST
 ___ 11. NO REPETITIVE SQUATTING
 ___ 12. NO CLIMBING
 ___ 13. LIMITED SITTING
 ___ 14. NO REACHING OVER SHOULDER
 ___ 15. NO FOOD SERVICE
 ___ 16. NO REPETITIVE USE OF HANDS
 ___ 17. NO WALK WET/UNEVEN SURFACES
 ___ 18. DO NOT ASSIGN TO MEDICAL
 000 19. NO WORK IN DIRECT SUNLIGHT
 000 20. NO TEMPERATURE EXTREMES
 000 21. NO HUMIDITY EXTREMES
 ___ 22. NO EXPOSURE TO ENVIRONMENT POLLUTANTS
 ___ 23. NO WORK WITH CHEMICALS OR IRRITANTS
 ___ 24. NO WORK REQUIRING SAFETY BOOTS
 ___ 25. NO WORK AROUND MACHINE WITH MOVING PART
 ___ 26. NO WORK EXPOSURE TO LOUD NOISES

IV. DISCIPLINARY PROCESS (CHECK ONE)

- ___ A. NO RESTRICTIONS
 000 B. CONSULT REP OF MENTAL HEALTH DEPT BEFORE TAKING DISCIPLINARY ACTION
 ___ C. CONSULT REP OF MEDICAL DEPARTMENT BEFORE TAKING DISCIPLINARY ACTION

V. INDIVIDUALIZED TREATMENT PLAN (CHECK ALL THAT APPLY)

- ___ A. NO RESTRICTION
 ___ B. MEDICAL REPRESENTATIVE REQUIRED
 000 C. MENTAL HEALTH REPRESENTATIVE REQUIRED

VI. TRANSPORTATION RESTRICTIONS (CHECK ONE)

- X A. NO RESTRICTION
 ___ B. EMS AMBULANCE
 ___ C. WHEELCHAIR VAN
 ___ D. MULTI-PATIENT VEHICLE (MPV)
 ___ E. VAN

UTMBFTP

UTMBFTP

12/22/2021

PRINTED NAME AND TITLE OF REVIEWER

DATE

SIGNATURE OF REVIEWER

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Current Patient Restrictions
Patient: OATMAN, BRIAN MRN: 2097131 DOB: 04/20/1972 Sex: MALE Race: WHITE

Order Provider	Section	Element	Restriction	Start Date	# Days	Exp. Date	Cont	Data	Units
WRIGHT, NATHAN A	II	Bunk Assignment	Lower Only	09/24/2020			Yes		
CLINE, JONI J	III		19b. Psych - No Work in Direct Sunlight	04/11/2023			Yes		
CLINE, JONI J	III		20b. Psych - No Temperature Extremes	04/11/2023			Yes		
CLINE, JONI J	III		21b. Psych - No Humidity Extremes	04/11/2023			Yes		
EASTRIDGE, JOSEPH M	III		9. No Lifting >	02/06/2023			Yes		
RAMIREZ, AMANDA E	IV	Disciplinary Process	Consult Representative of Mental Health Department before taking disciplinary action	12/08/2021			Yes	25	Lbs
RAMIREZ, AMANDA E	V		Mental Health Representative Required	12/08/2021			Yes		
ESTRADA, ALEXANDRA Y			RESEND	07/06/2021					
TEJADA, JOHN D			RESEND	08/29/2022					
DAVIS, DONNA L			RESEND	04/19/2019					
DAVIS, DONNA L			RESEND	11/07/2019					
ALI, DOLORES H			RESEND	02/24/2021					
WRIGHT, NATHAN A			RESEND	06/23/2020					
STATON, KIMBERLY			RESEND	12/22/2021					
WRIGHT, NATHAN A			RESEND	09/24/2020					
WRIGHT, NATHAN A			RESEND	08/24/2020					

PULHES Management		
DESIG	CODE	MODIFIER
P 2	B	P
U 1	A	-
L 2	B	P
H 1	A	-
E 2	B	P
S 3	N	T

(Pg 2)

Brian G. Oatman #2097131
Robertson Unit
12071 FM 3522
Abilene, TX 79601

25 OCT 2024
ABILENE TX
25 OCT 2024

Order Provider
WRIGHT, NA
CLINE, NA
CLINE, NA
CLINE, NA

Legal Correspondence →

(Tiede V. Collier 1:23-cv-1004-RP)
Clerk, U.S. District Court
Western District of Texas
United States Courthouse
501 W. 5th Street, Suite 1100
Austin, Texas 78701

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OCT 30 2024

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